UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LARRY ANDREW PIATEK,

Plaintiff,

v. Case No. 04-C-851

DAVID GRAVES, KURT PICKNELL, MICHAEL SCHMITZ, JOHN DELANEY and KEVIN HURST, HEALTH PROFESSIONALS, LTD., ELIZABETH PETERS and BRIAN BOHLMANN,

Defendants.

OPINION AND ORDER

The court ORDERS that the "Motion by the Plaintiff for an Extension Time to File his [sic] Reply to the Defendants [sic] Response to his Motion for Summary Judgment" (filed April 25, 2005) IS DENIED because it is unnecessary in that this court will deny the Plaintiff's motion for summary judgment.

IT IS FURTHER ORDERED that the Plaintiff's "Motion for Summary Judgment" (filed February 28, 2005) IS DENIED. Material facts are in dispute and the Plaintiff has not established that he is entitled to judgment as a matter of law. See Federal Rule of Civil Procedure 56.

Done and Ordered in Chambers at the United States Courthouse, Milwaukee, Wisconsin this 26th day of April 2005.

s/Thomas J. Curran
Thomas J. Curran
United States District Judge